

J. Michael Ferguson

From: J. Michael Ferguson
Sent: Friday, March 27, 2015 3:29 PM
To: Kathy Bond
Subject: RE: Friday March 27th

You tell Brian I don't give a shit what he thinks. I have been in business for 30 years and if he thinks I am going to steal a measly \$10,000 to \$15,000 that is owed for last year he is sadly mistaken. He can easily look at county records and see what has sold and what has not. It is not like this company makes a lot of money.

The books are the books and Brian will get his 1/2 . He will get the all the pay histories, complete copies of the books through 12/31/2014 and his \$10,000 to \$15,000 by Monday.

He will then get the monthly reports and his portion of the monthly payments each month. If he does not like that, tell him to let me know now and I will be happy to file the Partition Suit next week and we can end this JV.

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From: Kathy Bond [mailto:kbond@kairoshomesllc.com]
Sent: Friday, March 27, 2015 3:19 PM
To: J. Michael Ferguson
Subject: RE: Friday March 27th

Michael,

Brian thinks that you have been taking money from the joint venture. You have lots for sale, that we have requested information about and you will not communicate with us.

Brian's father had a partner that took money out of a joint venture. He is not a small attorney, he took \$70k to pay for his daughter's wedding in the Bahamas. He lost his law license. EOG tried to screw Brian out of \$90k in royalty fees and a year and ½ later, after a law suit, EOG paid Brian the \$90k plus \$40k in fees. Brian has a 20 year history with Jay. The

joint venture had been running the same way for 20 years and just because you bought Jay's interest does not allow you to change the rules and make your own decisions without communicating with your partner.

We have had no financial information from you in 9 months, and for almost 3 months we have been requesting financials and bank statements, but you are not supplying anything. You forced me to walk into your office, as per the joint venture agreement, and still refused to provide us the information we deserve. It is our right to have access to these records.

Brian doesn't think 12 people will side with you. He thinks that if you have done with he thinks you have done, you will be paying the legal fees and lose your license and it will not be beneficial to you.

This joint venture began with Brian doing the front end work and Jay was to service the notes without getting paid but Brian agreed he could have the late fees. When Jay was no longer making 18% he wanted to break it out 50/50 and not keep the original agreement. Now you stepped into Jay's shoes.

Brian will be filing a law suit.

Kathy
817.847.7851

From: J. Michael Ferguson [<mailto:mike@jmichaelferguson.com>]
Sent: Friday, March 27, 2015 10:56 AM
To: Kathy Bond
Subject: RE: Friday March 27th

Brian and Kathy,

I appreciate that you want the reports. However, as I told you we don't just manage this company. We have several and we took over Metro Buys Homes through a Receivership in January 2015. We are working hard to get everything updated on our system to service these properly and make sure what the status of all loans are. I understand how you have done this with Jay Lesok but I do not wish to continue on the same path. There was no tracking of taxes on the notes and no escrow accounts for those that did not pay correctly. In the short time that I have been involved, we have been served with 3 lawsuits for delinquent taxes. We will finish all of this up shortly and then Brian can make a choice of how we proceed forward. I will send:

1. Copies of all the pay histories for the loans being serviced from the beginning of the note to the present time.
2. Balance sheet and income statement
3. Monthly reports for the loans being serviced.
4. All invoices, tax bills, etc for any expenses being paid for the lot inventory.
5. Brian's ½ of cash to be distributed from the loans being serviced

Then starting for January 2015, we will send a monthly statement along with ½ of the money for Principal & Interest that was collected. We will keep a balance of \$15,000 on the books to pay for the Taxes and Insurance on the Lot Inventory but anything after that will be distributed on a monthly basis. In addition to that Brian will get a Monthly Income Statement and a Monthly Balance Sheet. These loans will be serviced by Anson Financial, Inc. and there will not be a separate checking account. Anson Financial, Inc. services loans for many investors and all cash is deposited into and distributed out of an operating account.

Now, if that is not acceptable to Brian, I am ok with that. We will then have 1 of 2 choices to make:

1. We can divide the assets in half and Brian will take ½ and Anson will take ½.

Or if that is not something that can be agreed to, then

2. I will file a Partition Suit in District Court and we will let the Courts decide how the assets are divided.

In the meantime, I would appreciate your patience and understanding. Regardless, you will be getting everything shortly as we are close to finishing up the books on each of the companies that we manage or own.

Thanks,
Mike

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From: Kathy Bond [<mailto:kbond@kairoshomesllc.com>]
Sent: Thursday, March 26, 2015 11:48 AM
To: J. Michael Ferguson
Subject: RE: Friday March 27th
Importance: High

Michael,

I can appreciate that you ran into some issues but it has been months since you stated you would send over documentation. I don't think we are being unreasonable here – you stated in January you would be sending over the information but you have sent NOTHING. Brian is obviously very concerned and nervous. . He would like me to show up with a man to video the transaction tomorrow.

Brian stated that if you would like to buy some more time then you can at least send me the bank statements today. That would only take 20 minutes and would make him feel like you are at least working with us. Or you can give us view access to the bank, that way I can pull what I need when we need it.

I really don't want to come over to your office tomorrow – but we need to see that you are working with us.

Please advise, or we will see you at 10 am.

Kathy
817.847.7851

From: J. Michael Ferguson [<mailto:mike@jmichaelferguson.com>]
Sent: Wednesday, March 25, 2015 6:16 PM
To: Kathy Bond
Subject: RE: Friday March 27th

Kathy,

We are going to finish this up and get Brian the information on all properties and all notes, etc. You will have pay histories on everything. I am trying to get all this done but it simply has not been reconciled. We have other companies that we must also reconcile and we will get through with all of them soon including Alvord 287. I will send everything when I am done.

Sorry for the delay but you will get everything as soon as we are through.

Thanks,
Mike

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From: Kathy Bond [<mailto:kbond@kairoshomesllc.com>]
Sent: Wednesday, March 25, 2015 4:37 PM
To: J. Michael Ferguson
Subject: Friday March 27th

Hello Michael,

Brian Frazier has authorized me to come to your office Friday, March 27, 2015 and pick up 2014 bank statements, a list of the payments received in 2014, and related payment history. You and I communicated in January and you stated you were going to mail me all the information with a week or two once you had reviewed all the notes. I have not heard back from you, and per the joint venture agreement that Brian has with Jay – this information is to be made available. For 20+ years Jay supplied this information and a 6 month distribution check but you are not providing that information as requested.

I sent a request for that information via certified mail dated February 26, 2015 and still no response.

I will bring a letter signed by Brian authorizing me to pick up the requested information.

Thank you,

Kathy Bond
Office Manager Kairos Homes, LLC
Frazier Asset Management
Shenandoah Water Estates

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